



GAU 3652
14 1/2

Document No.: A-2615

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

By: 

Date: July 23, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gaby Fasler et al.
Applic. No. : 09/745,563
Filed : December 21, 2000
Title : Guide Apparatus for Guiding Sheets, and Method of Operating a Guide Apparatus
Examiner : Frank E. Werner - Art Unit: 3652

PETITION UNDER 37 C.F.R. 1.8(b)

Hon. Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The facts leading to this petition are as follows:

Applicants received a *Notice of Abandonment* dated July 15, 2003, in the above-identified application. According to the notice, a copy of which is enclosed herewith, applicants had allegedly not responded to the Office action mailed December 13, 2002.

Applicants did indeed respond in the form of an amendment which was facsimile-transmitted to the Patent Office on March 12, 2003, in accordance with Rule 1.6(d).

Enclosed herewith, in accordance with Rule 1.8(b), is a copy of:

- the amendment
- the transmission report showing that the amendment was received in the Patent Office on March 12, 2003
- the pertinent page of the outgoing mail log of March 12, 2003
- a declaration by counsel's docket clerk.

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GROUP 3600

Applicants respectfully request that the *Notice of Abandonment* be rescinded and that the application be restored to pending status.

Respectfully submitted,


For Applicants

LAURENCE A. GREENBERG
REG. NO. 29,308

Date: July 23, 2003

Lerner and Greenberg, P.A.
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Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101
/bb



09/745,563

Docket No.: A-2615

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gaby Fasler et al.
Applic. No. : 09/745,563
Filed : December 21, 2000
Title : Guide Apparatus for Guiding Sheets, and Method of Operating a Guide Apparatus
Examiner : Frank E. Werner - Art Unit: 3652

DECLARATION
TO ACCOMPANY PETITION UNDER 37 C.F.R. 1.8(b)

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I, Carmen Panizzi, hereby declare that:

- ❖ I am employed as a docket clerk at the law office of Lerner and Greenberg, P.A.;
- ❖ my duties include docketing all incoming and outgoing mail either received from or mailed to the Patent Office;
- ❖ I have reviewed the outgoing mail log for March 12, 2003, and the pertinent page shows that the amendment was indeed facsimile-transmitted to the Patent Office on that date.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Carmen Panizzi

Date: July 23, 2003



DOCKET NO.	INVENTOR	Amend (No. of Pgs.)	Amend 1, 116 (No. of Pgs.)	Application (No. of Pgs.)	Assignment	Brief	Cert. Correction	CIP	Claim for Priority	Declaration	Divisional	Express	Fill. Rpt. Correct.	Formal Drawings (No.)	IDS (No. of Refs.)	Inf. Drawings (No.)	Issue Fees	Letter	Letter Draftsman	Maintenance Fee	PCT Cover Sheet	Petition for Ext.	Power of Attorney	Priority Document	RCE	Response	Trademark Application	1533	\$ Amount	\$ Amount	Addit. Info.
12-Mar-03																															
F-8040 CIP	Sax			29				X						6	X														\$501.00		1449, Pet. To make special
Mp.Nr.02/526	Rack			21										5	7														\$750.00		1449
GR00P17567	Brueck			20										1	18														\$750.00		1449, ISR, 02/23653A2
P2002,0189	Neukam			14										2	1														\$750.00		1449
GR98P1809	Allinger				X																								\$1,300.00		85B, 1595
GR98P2739	Thiele				X																								\$1,300.00		85B, 1595
GR98P2192	Sedlak																												\$1,600.00		85B, Pub. Fee
GR98P5858	Brando				X																								\$1,600.00		85B, Pub. Fee, 1595
GR98P3517	Mitlehner																												\$860.00		
PEK-In1135	Weber																														
L&L-10221	Hammes																														
P2002,0125	Feurle																														
J&R-1032	Steinecke																														
P2000,0118	Motz																														
P2000,0117	Motz																														
MUH-12479	Rottstegge																														
L&L-10072	Becker																														
GR00P12927	Preidel																														
M&N-IT-485	Dieckroeger																														
GR00P12915	Preidel																														
MUH-12444	Hartmann																														
P2000,0168	Ausserlechner																														
GR00P12894	Preidel																														
W&B-INF-1531	Engelhardt																														
W&B-INF-1483	Hofmann																														
Mp.Nr. 00/603	Vollmar																														
ZTPP4011	Horn																														
A-2871	Bialek																														
A-2615	Fasler																														
P2000,0163	Ausserlechner																														
SBNLV-K8224	Breyvogel																														
GR98P2293	Buchner																														
Z&PINFN10335	Stengl																														

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GROUP 3600

Drawing Changes - Faxed
Faxed
Drawing Changes - Faxed
Drawing Chgs. - Prel. Amend.
1449, German Office Action
IPER

016

DOCKET NO.		INVENTOR	
Z&PINFN10596	Tiebout		
SBV-8026	Mueller		
MUH-12490	Pfirsch		
GR00P12886	Preidel		
MAS-FIN-287	Neubert		
GR00P13845	Smirra		
		Amend (No. of Pgs.)	
8		Amend 1 116 (No. of Pgs.)	
		Appeal	
		Application (No. of Pgs.)	
		Assignment	
		Brief	
		Cert. Correction	
		CIP	
		Claim for Priority	
		Declaration	
		Divisional	
		Express	
		Fil. Rcpt. Correct.	
		Formal Drawings (No.)	
14			
		IDS (No. of Refs.)	
5			
3			
		Inf. Drawings (No.)	
		Issue Fees	
		Letter	
		X	
		Letter Draftsman	
		X	
		Maintenance Fee	
		PCT Cover Sheet	
		Petition for Ext.	
		Power of Attorney	
		X	
		Priority Document	
		RCE	
		Response	
		Trademark Application	
		1533	
		\$ Amount	
		\$ Amount	
		Credit Card	
		Check	
		Addit. Info.	
		IPER	
		1449	
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,563	12/21/2000	Gaby Fasler	A-2615	7941

7590 07/15/2003

Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480

EXAMINER

KRIZEK, JANICE LEE

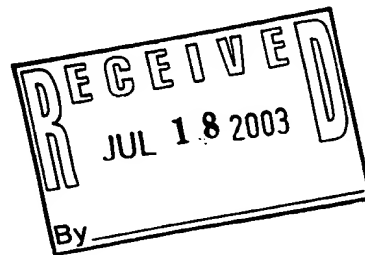
ART UNIT

PAPER NUMBER

3652

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



RECEIVED
JUL 29 2003
GROUP 3600

Notice of Abandonment

Application No.

09/745,563

Applicant(s)

Fasler

Examiner

Janice Krizek

Art Unit

3652



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Dec 13, 2002.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Janice L. Krizek 7-12-03

JANICE L. KRIZEK
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

MEMORY TRANSMISSION REPORT

TIME : 03-12-'03 14:25
TEL NO.1 : +9549251101
NAME : Lerner & Greenberg

FILE NO. : 023
DATE : 03.12 14:21
TO : 17033057687
DOCUMENT PAGES : 14
START TIME : 03.12 14:22
END TIME : 03.12 14:25
PAGES SENT : 14
STATUS : OK

TX ORIGINAL

A-2615

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper for Serial No. 09/745,563 is being facsimile transmitted to the Patent and Trademark Office fax number on the date shown below.

ALFRED K. DASSLER


Signature

March 12, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gaby Fasler et al.
Applic. No. : 09/745,563
Filed : December 21, 2000
Title : Guide Apparatus for Guiding Sheets, and
Method of Operating a Guide Apparatus
Examiner : Frank E. Werner
Group Art Unit : 3652

A M E N D M E N T

Hon. Commissioner of Patents and Trademarks,
Washington, D. C. 20231

S i r :

Responsive to the Office action dated December 13, 2002 kindly
amend the above-identified application as follows: